

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 24-20150-CR-BLOOM/ELFENBEIN

18 U.S.C. § 2251(a) and (e)

18 U.S.C. § 2252(a)(2) and (b)(1)

18 U.S.C. § 2260A

18 U.S.C. § 2253

FILED BY mdc D.C.

Apr 11, 2024

ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S. D. OF FLA. - Miami, FL

UNITED STATES OF AMERICA

v.

ADAM GINO JAMES COTTE,

Defendant.

INDICTMENT

The Grand Jury charges that:

COUNT 1

**Attempted Production of Visual Depictions Involving Sexual Exploitation of Minors
(18 U.S.C. § 2251(a) and (e))**

On or about August 8, 2022, in Miami-Dade County, in the Southern District of Florida,
and elsewhere, the defendant,

ADAM GINO JAMES COTTE,

did attempt to employ, use, persuade, induce, entice, and coerce a minor to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, and the defendant knew and had reason to know that such visual depiction would be mailed, transported, and transmitted in interstate and foreign commerce, and such visual depiction having been produced using materials that had been mailed, shipped, and transported in interstate and foreign commerce, by any means, including by computer, and such visual depiction having actually been

transported and transmitted using any means and facility of interstate and foreign commerce, in violation of Title 18, United States Code, Sections 2251(a) and (e), and 2.

COUNT 2
Receipt of Visual Depictions Involving Sexual Exploitation of Minors
(18 U.S.C. § 2252(a)(2) and (b)(1))

On or about August 8, 2022, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

ADAM GINO JAMES COTTE,

did knowingly receive any visual depiction, using any means and facility of interstate and foreign commerce, and that had been shipped and transported in and affecting interstate and foreign commerce, and which was produced using materials which had been so shipped and transported, by any means, including by computer, and the production of such visual depiction having involved the use of a minor engaged in sexually explicit conduct, as defined in Title 18, United States Code, Section 2256(2), and such visual depiction was of such conduct, in violation of Title 18, United States Code, Section 2252(a)(2) and (b)(1).

COUNT 3
Commission of Sex Offense by Registered Sex Offender
(18 U.S.C. § 2260A)

On or about August 8, 2022, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

ADAM GINO JAMES COTTE,

an individual required by Federal or other law to register as a sex offender, committed a felony offense involving a minor under Title 18, United States Code, Sections 2251(a) and (e), in violation of Title 18, United States Code, Section 2260A.

CRIMINAL FORFEITURE ALLEGATIONS

1. The allegations of this Indictment are hereby re-alleged and by this reference fully incorporated herein for the purpose of alleging forfeiture to the United States of America of certain property in which the defendant, **ADAM GINO JAMES COTTE**, has an interest.

2. Upon conviction of a violation of Title 18, United States Code, Sections 2251 and/or 2252, as alleged in this Indictment, the defendant shall forfeit to the United States, pursuant to Title 18, United States Code, Section 2253(a):

a. Any visual depiction described in Title 18, United States Code, Sections 2251, 2251A, or 2252, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of Title 18, United States Code, Chapter 110;

b. Any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such offense; and

c. Any property, real or personal, used or intended to be used to commit or to promote the commission of such offense or any property traceable to such property.

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All pursuant to Title 18, United States Code, Section 2253(a) and the procedures set forth in Title 21, United States Code, Section 853, as incorporated by Title 18, United States Code, Section 2253(b).

A TRUE BILL

FOREPERSON

✓



MARKENZY LAPOINTE
UNITED STATES ATTORNEY



MARDIA HAYE
ASSISTANT UNITED STATES ATTORNEY

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

UNITED STATES OF AMERICA

CASE NO.: _____

v.

ADAM GINO JAMES COTTE,

CERTIFICATE OF TRIAL ATTORNEY_____
Defendant.**Court Division** (select one)

- ☒ Miami ☐ Key West ☐ FTP
☐ FTL ☐ WPB

Superseding Case Information:

New Defendant(s) (Yes or No) _____

Number of New Defendants _____

Total number of new counts _____

I do hereby certify that:

1. I have carefully considered the allegations of the indictment, the number of defendants, the number of probable witnesses and the legal complexities of the Indictment/Information attached hereto.
2. I am aware that the information supplied on this statement will be relied upon by the Judges of this Court in setting their calendars and scheduling criminal trials under the mandate of the Speedy Trial Act, Title 28 U.S.C. §3161.
3. Interpreter: (Yes or No) No
List language and/or dialect: _____
4. This case will take 5 days for the parties to try.
5. Please check appropriate category and type of offense listed below:

(Check only one)	(Check only one)
I <input checked="" type="checkbox"/> 0 to 5 days	<input type="checkbox"/> Petty
II <input type="checkbox"/> 6 to 10 days	<input type="checkbox"/> Minor
III <input type="checkbox"/> 11 to 20 days	<input type="checkbox"/> Misdemeanor
IV <input type="checkbox"/> 21 to 60 days	<input checked="" type="checkbox"/> Felony
V <input type="checkbox"/> 61 days and over	
6. Has this case been previously filed in this District Court? (Yes or No) No
If yes, Judge _____ Case No. _____
7. Has a complaint been filed in this matter? (Yes or No) No
If yes, Magistrate Case No. _____
8. Does this case relate to a previously filed matter in this District Court? (Yes or No) No
If yes, Judge _____ Case No. _____
9. Defendant(s) in federal custody as of _____
10. Defendant(s) in state custody as of April 18, 2023
11. Rule 20 from the _____ District of _____
12. Is this a potential death penalty case? (Yes or No) No
13. Does this case originate from a matter pending in the Northern Region of the U.S. Attorney's Office prior to August 8, 2014 (Mag. Judge Shaniek Maynard? (Yes or No) No
14. Does this case originate from a matter pending in the Central Region of the U.S. Attorney's Office prior to October 3, 2019 (Mag. Judge Jared Strauss? (Yes or No) No
15. Did this matter involve the participation of or consultation with Magistrate Judge Eduardo I. Sanchez during his tenure at the U.S. Attorney's Office, which concluded on January 22, 2023? No
16. Did this matter involve the participation of or consultation with now Magistrate Judge Marta Fulgueira Elfenbein during her tenure at the U.S. Attorney's Office, which concluded on March 5, 2024? No

By: _____

Nardia Haye

Assistant United States Attorney

Court ID No. A5502738

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: ADAM GINO JAMES COTTE

Case No: _____

Count # 1:

Attempted Production of Visual Depictions Involving Sexual Exploitation of Minors

Title 18, United States Code, Section 2251(a) and (e)

- * **Max. Term of Imprisonment: Life Imprisonment**
- * **Mandatory Min. Term of Imprisonment (if applicable): 35 Years' Imprisonment**
- * **Max. Supervised Release: 5 Years to Life**
- * **Max. Fine: \$250,000**

Count # 2:

Receipt of Visual Depictions Involving Sexual Exploitation of Minors

Title 18, United States Code, Section 2252(a)(2) and (b)(1)

- * **Max. Term of Imprisonment: 40 Years' Imprisonment**
- * **Mandatory Min. Term of Imprisonment (if applicable): 15 Years' Imprisonment**
- * **Max. Supervised Release: 5 Years to Life**
- * **Max. Fine: \$250,000**

Count # 3:

Commission of Sex Offense by Registered Sex Offender

Title 18, United States Code, Section 2260A

- * **Max. Term of Imprisonment: 10 Years' Imprisonment**
- * **Mandatory Min. Term of Imprisonment (if applicable): 10 Years' Imprisonment**
- Consecutive to Any Sentence Imposed for Count 1**
- * **Max. Supervised Release: 5 Years**
- * **Max. Fine: \$250,000**

*Refers only to possible term of incarceration, supervised release and fines. It does not include restitution, special assessments, parole terms, or forfeitures that may be applicable.